

SENATE CHAMBER,
AUSTIN, TEXAS, Friday, July 29, 1870.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present.

Absent, Latimer.

Journal of yesterday read and corrected, so as to show that the Senate by its vote did not adhere to its amendment to section five (of House bill No. 341), line two, to wit: After the word "advantage," add "provided the said bonds shall not be sold at less than par," and that the Senate did adhere to its amendment to section four, to-wit: "To strike out in lines four and five, the words "sufficient to pay," and insert in lieu thereof the words "of two per cent. to be applied to the payment of."

The chair, under resolution of yesterday, appointed Senators Fountain and Pyle a committee to confer with a committee of three, on the part of the House, to agree upon the time of adjournment, and the House was informed of the same.

Report of Committee on Penitentiary:
Hon. DON CAMPBELL,

President of the Senate:

Your Committee on Penitentiary, to whom was referred that part of the message of his Excellency the Governor, calling the attention of the Legislature to the necessity of providing for the location and construction of branch Penitentiaries, have had the same under careful consideration and recommend the adoption of the following joint resolution:

Resolved by the Legislature of the State of Texas, That his Excellency the Governor, by and with the advice and consent of the Senate, be and he is hereby authorized to appoint three commissioners at a salary of eight dollars a day and traveling expenses, to visit during the vacation of the Legislature, that part of the State known as Western Texas, and that part known as North and Northeastern Texas, for the purpose of fixing and determining suitable locations for two additional State Penitentiaries; provided, one of said locations is east of the Trinity river, and north of thirty-second parallel of latitude, and one west of the Colorado river.

P. W. HALL,
Chairman.

Laid over under the rules.

Report of Committee on Private Land Claims: •

COMMITTED ROOM,
Austin, July 28, 1870.

Hon. DON CAMPBELL,

President of Senate:

Your Committee on Private Land Claims, to whom was referred Senate bill No. 108, entitled "An Act for the relief of the heirs of Benjamin Franklin, deceased, have had the same under consideration, and I am instructed to report it back with the recommendation that it do pass.

B. J. PRIDGEN,
Chairman.

Laid over under the rules.

On motion of Senator Cole the rules were suspended to take up House bill No. 410, "An Act to create the county of Delta."

Bill read first time.

Rules suspended and bill read second time.

Senator Hall moved to amend by striking out the word "Delta" and inserting "Latimer."

Lost.

Rules suspended and bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bell, Bowers, Clark, Cole, Douglas, Ford, Fountain, Gaines, Hall, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon—21.

Nays—Dohoney, Evans—2.

Absent—Broughton, Flanagan, Mills, Hertzberg, Pyle—5.

Bill passed.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, July 28, 1870.

Hon. DON CAMPBELL,

President of the Senate:

Your Committee on Engrossed Bills having examined and compared Senate bill No. 210, "To prohibit the sale of intoxicating or spirituous liquors within the immediate vicinity of Caddo Grove Seminary;" also, Senate bill No. 47, "To amend an act entitled 'An Act to incorporate the Western and Great Northern Railroad Company,'" also, Senate bill No. 100, "For the relief of A. H. Cook;" also, Senate bill No. 180, "For the relief of Cain T. Brush;" also, Senate bill No. 160, "Amendatory of and supplementary to an act entitled 'An Act to incorporate the Young Men's Real Estate and Building Association,' approved November 6, 1866;" also, Senate bill No. 183, "To incorporate the Callahan Cotton Seed Oil Manufacturing Company of Hempstead, Texas;"

and Senate bill No. 262, "To change the present boundaries of Burleson and Brazos counties," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report of Select Committee on Rules :

COMMITTEE ROOM,
Austin, July 28, 1870.

Hon. DON CAMPBELL,

President of the Senate :

Your Select Committee, to whom was referred the following resolution :

"*Resolved*, That the rules of order of the Senate be and are here amended by the following additions to the order of business : After order four, page five, add : Fifth—Reading of Senate bills third time. Sixth—Reading of Senate bills second time. Seventh—Reading bills from House of Representatives passed to third reading. Eighth—Reading House of Representatives bills the second time. Ninth—Message from House of Representatives."

Having had the same under consideration, respectfully report it back to the Senate and recommend its passage.

M. H. BOWERS,
W. H. PARSONS, } Committee.
G. T. RUBY,

On motion, the rules were suspended and report and resolution adopted.

Message from the House, transmitting House bill No. 357, "An Act to incorporate the Bolivar Point, Eastern Texas and Red River Railroad."

House bill No. 467, "An Act legalizing certain writs and process issued by or from district courts."

House bill No. 194, "An Act to incorporate the Bosque Bridge and Manufacturing Company of McLennen county."

Also, enrolled House bill No. 44, "An Act to incorporate the Firemen's Insurance Company of Galveston."

Signed by the President and returned to the House.

The Secretary carried to the House for concurrence, Senate bill No. 47, "An Act to amend an act entitled 'An Act to incorporate the Houston and Great Northern Railroad Company.'"

Senate bill No. 100, "An Act for the relief of A. H. Cook."

Senate bill No. 180, "An Act for the relief of Cain T. Brush."

Senate bill No. 183, "An Act to incorporate the Callahan Cotton Seed Oil Manufacturing Company of Hempstead, Texas."

Senate bill No. 210, "An Act to prohibit the sale of intoxicating or spirituous liquors within the immediate vicinity of Caddo Grove Seminary."

Senate bill No. 262, "An Act to change the present boundaries of Burleson and Brazos counties."

BILLS AND RESOLUTIONS.

By Senator Fountain: "An Act to incorporate the San Antonio and Rio Grande Telegraph Company."

Read first time, and referred to Committee on Internal Improvements.

By Senator Dohoney: A bill to be entitled "An Act allowing for further time for the redemption of land sold for taxes between March 2, 1861 and March 30, 1870."

Read first time, and referred to Committee on Judiciary.

By Senator Saylor: "An Act creating the office of superintendent of public buildings."

Read first time, and referred to Committee on Public Buildings.

Senator Gaines offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to purchase twenty-five pounds of ice daily in place of ten pounds, as heretofore directed.

Adopted.

Senator Ruby offered the following resolution:

WHEREAS, A large number of bills will probably be passed to engrossment and enrollment before adjournment; and

Whereas, it is probable that the enrolling and engrossing clerks will be unable alone to promptly return said bills; therefore be it

Resolved, That the chairman of the aforesaid committee be authorized to appoint such assistants to said officers as may be necessary to secure the prompt execution of their duties, thereby preventing delay in legislation.

Senator Priest offered the following amendment:

Resolved, That the chairman of the several committees who can dispense with their clerks be authorized to do so at the earliest day practicable.

The hour for special order having arrived, on motion of Senator Douglas it was postponed for five minutes to consider the following:

Motion to suspend rule sixty-one to permit a motion to reconsider the action of the Senate in passing a bill to be entitled "An Act to amend an act to incorporate the Houston and Great Northern Railroad Company."

Special order having arrived, Senator Douglas moved its postponement until the matter before the Senate is disposed of.

Lost.

Special Order :

● The hour for special order having arrived, Senate bill No. 281, a bill to be entitled "An Act to organize the courts of justices of the peace and police court, and to define their jurisdiction and duties."

On motion of Senator Ruby, the Senate went into Committee of the Whole.

Senator Ruby, Chairman of Committee of the Whole, having under consideration Senate bill No. 281, asked leave to set on Monday, at eleven o'clock A. M.

Report received and leave granted.

Senator Mills moved the Senate go into executive session.

Lost.

The question recurring upon resolution of Senator Douglas—

Yeas and nays called for :

Yeas—Mr. President, Bowers, Clarke, Cole, Dohoney, Douglas, Evans, Parsons, Pickett, Priest, Pyle, Shannon—12.

Nays—Baker, Ford, Fountain, Gaines, Hall, Hertzberg, Latimer, Pettit, Pridgen, Rawson, Ruby, Saylor—12.

Absent—Bell, Broughton, Flanagan, Mills—4.

Motion lost - two-thirds not voting in the affirmative.

Message from the House, Senate bill No. 201 "An Act to prohibit the sale of intoxicating liquors within two miles of Shiloh Male and Female Academy," with amendments.

House amendments to Senate bill No. 201 :

Amend section one by striking out the words "four miles," and inserting in lieu thereof the words "two miles."

Amend section two by striking out the word "fifty," and inserting the word "twenty," and by striking out the words "five hundred," and inserting in lieu thereof the words "one hundred."

Also, by amending the caption to read "two," instead of "four miles."

Senator Cole offered the following resolution :

Resolved, That H. R. Latimer, Senator of the Ninth District, be allowed absence from this body from and after Wednesday, the third day of August, and during the remainder of the session.

Senator Bowers moved its postponement till Tuesday, August 2.

Carried.

The question recurring upon the amendment offered by Senator Priest to resolution of Senator Ruby, Senator Priest moved the adoption of the amendment.

Carried.

On motion of Senator Ruby the resolution as amended was adopted.

By Senator Baker, an act amendatory to an act entitled "An Act donating one hundred and sixty acres of land to actual settlers upon the public domain."

Read first time and referred to Committee on Judiciary.

Senator Ruby moved the Senate proceed with the business on the Speaker's table.

Senator Bowers moved the Senate go into executive session.

Carried.

IN SENATE.

Under direction of the President, the Secretary informed his Excellency, the Governor, that the Senate in executive session had advised and consented to the following appointments, to-wit :

Samuel Dodge, for Judge of the Criminal District Court of Galveston and Harris counties.

C. H. Alexander, Westley Gardiner, H. C. Smith, William Harris and Edward Fink, for Pilot Commissioners at Sabine Pass, Texas.

J. M. Onins, for Judge of the Twenty-eighth Judicial District.

On motion of Senator Mills the Senate adjourned till to-morrow, at ten o'clock A. M.